

United States District Court ORIGINAL

NORTHERN DISTRICT OF CALIFORNIA

ADR FILING

SANDISK CORPORATION,

SUMMONS IN A CIVIL CASE

CASE NUMBER: _____

V.

LUCENT TECHNOLOGIES INC. and
ALCATEL-LUCENT, S.A.,

C07 03618 BZ

TO: (Name and address of defendant)

Alcatel-Lucent, S.A.

c/o The Prentice-Hall Corporation System, Inc.

PO Box 526036

Sacramento, CA 95852

2730 Gateway Oaks Drive, Suite 100

Sacramento, CA 94833

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Bingham McCutchen LLP

Gregory Lippetz

Three Embarcadero Center

San Francisco, Ca 94111-4067

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

Betty J. Walton
Betty J. Walton

DATE JUL 13 2007

(BY) DEPUTY CLERK

BINGHAM MCCUTCHEN LLP GREGORY LIPPETZ (SBN 154228) THREE EMBARCADERO CENTER SAN FRANCISCO, CA 94111-4067 Telephone: (415) 393-2000 Facsimile: (415) 393-2286 Attorney(s) for: PLAINTIFF Reference: 686081		
UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA		
SANDISK CORPORATION <div style="text-align: right;">Plaintiff (s)</div>	CASE NUMBER: C-07-03618-BS	
<div style="text-align: center;">v.</div> LUCENT TECHNOLOGIES INC. and ALCATEL-LUCENT, S.A. <div style="text-align: right;">Defendant (s)</div>	PROOF OF SERVICE SUMMONS AND COMPLAINT (Use separate proof of service for each person/party served)	

- [illegible]

6. ☐ **due diligence.** I made at least three (3) attempts to personally serve the defendant.
- c. ☐ **Mail and acknowledgment of service.** By mailing (*by first-class mail or airmail, postage pre-paid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).
- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P.4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment of by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, a mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of state requires a court order. (**Attach a copy of the order to this proof of service**).
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- h. ☐ **Other** (specify code section and type of service):
5. Service upon the **United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
Name of person served:
Title of person served:
Date and time of service: (date): _____ at (time): _____
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (**Attached signed return receipt or other evidence of actual receipt by the person served**).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served**).
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (*name, address and telephone number*):

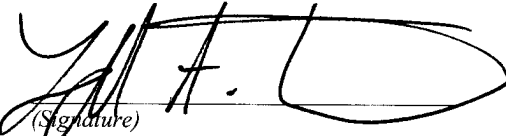
LUDEK A. POLCAK/#842/SAN FRANCISCO
WORLDWIDE NETWORK, INC.
520 TOWNSEND STREET, SUITE D
SAN FRANCISCO, CA 94103
(415) 503-0900

- a. Fee for service: \$
- b. ☐ Not a Registered California Process Server
- c. ☐ Exempt from registration under B&P 2235(b)
- d. ☒ Registered California Process Server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: JULY 16, 2007


(Signature)